

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

HAROLD ELLIS,

Plaintiff,

-against-

05 Civ. 10880 (CLB)(GAY)

JANE DOE, JOHN DOE,

Defendants.

-----X

ORDER VACATING REPORT AND RECOMMENDATION

By Order dated July 19, 2006 the Court issued a Report and Recommendation to the Honorable Charles L. Brieant, U.S. District Judge, recommending that the complaint herein be dismissed. The Court found that the *pro se* plaintiff had not complied with the Court's previous Order that he serve an amended complaint by June 30, 2006, upon named defendants in place of Jane Doe and John Doe.

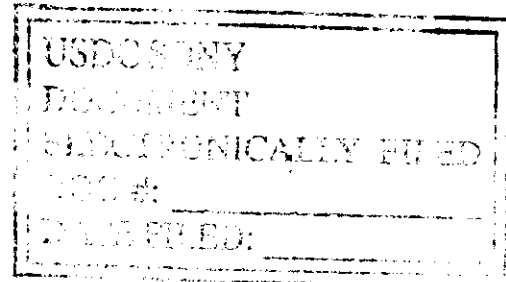
It has now come to the attention of the undersigned that the plaintiff apparently did attempt to file and serve an amended complaint with named defendants as directed. Accordingly, the said Report and Recommendation is hereby vacated.

SO ORDERED:

Dated: July 20, 2006
White Plains, New York

GEORGE A. YANTHIS, U.S.M.J.

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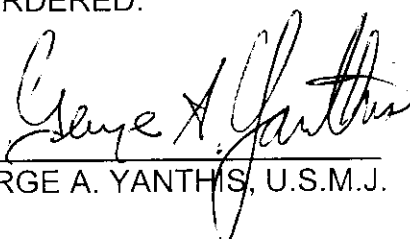
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